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DISTRICT OF WYOMING
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U.S. DISTRICT COURT

ORIGINAL

Peter W. Rietz
Christopher Yvarrs
Carrie Rolle
THE RIETZ LAW FIRM, L.L.C.
P.O. Box 5268
Dillon, CO 80435 Attorneys for Defendants
VAIL RESORTS DEVELOPMENT
INCORPORATED, A Wyoming Corporation et al.

Paul Kapp
John A. Sundahl
Sundahl, Powers, Kapp & Martin
1725 Carey Avenue
P.O. Box 328
Cheyenne, Wyoming 82003

UNITED STATES DISTRICT COURT

DISTRICT OF WYOMING

JOETTE H. WILLIAMS,

Plaintiff,

vs.

VAIL RESORTS DEVELOPMENT COMPANY, a Colorado
corporation, GRAND TETON LODGE COMPANY, a
Wyoming corporation, TETON HOSPITALITY SERVICES,
INC., (successor in interest to Teton Hospitality, LLC) a
Wyoming corporation, JHL&S, LLC, a Wyoming corporation,
MECH CO INCORPORATED, a Wyoming corporation and
UNION POINTE CONSTRUCTION CORPORATION, a Utah
corporation d/b/a UNION POINTE GENERAL
CONTRACTORS,

Defendants.

and

JHL&S, LLC, a Wyoming limited liability company,

Cross-Claim Plaintiff,

vs.

MECH CO Incorporated, a Wyoming corporation and Union
Pointe Construction Corporation, a Utah corporation,

Cross-Claim Defendants,

and

JHL&S, LLC, a Wyoming limited liability company,

Civil Action No.
02CV016J - 164

Third-Party Plaintiff,)
vs.)
Nelson Engineering, a Wyoming corporation; Laars, Inc. d/b/a)
Laars Heating Systems and Teledyne Laars, a Delaware)
corporation; Modern Lighting & Electric, Inc., a Wyoming)
corporation; Blueline Supply, Inc., a Wyoming corporation, and)
Mike's Heating and Sheet Metal, a Wyoming corporation.)
Third-Party Defendants.)

AND

UNITED STATES DISTRICT COURT
DISTRICT OF WYOMING

JOETTE H. WILLIAMS and DAVID D. WILLIAMS, co-)
personal representatives of the Estate of David Randall)
Williams, M.D., deceased, on behalf of and for the benefit of)
JOETTE H. WILLIAMS, DAVID D. WILLIAMS, LAURA K.)
WILLIAMS, IRA D. WILLIAMS, AND RUTH J. WILLIAMS,)
Plaintiff,)

vs.)

Civil Action No.
02CV017J

VAIL RESORTS DEVELOPMENT COMPANY, a Colorado)
corporation, GRAND TETON LODGE COMPANY, a)
Wyoming corporation, TETON HOSPITALITY SERVICES,)
INC., (successor in interest to Teton Hospitality, LLC) a)
Wyoming corporation, JHL&S, LLC, a Wyoming corporation,)
MECH CO INCORPORATED, a Wyoming corporation and)
UNION POINTE CONSTRUCTION CORPORATION, a Utah)
corporation d/b/a UNION POINTE GENERAL)
CONTRACTORS,)
Defendants.)

and)
JHL&S, LLC, a Wyoming limited liability company,)
Cross-Claim Plaintiff,)

vs.)
MECH CO Incorporated, a Wyoming corporation and Union)
Pointe Construction Corporation, a Utah corporation,)

and
JHL&S, LLC, a Wyoming limited liability company,
Third-Party Plaintiff,
vs.
Nelson Engineering, a Wyoming corporation; Laars, Inc. d/b/a
Laars Heating Systems and Teledyne Laars, a Delaware
corporation; Modern Lighting & Electric, Inc., a Wyoming
corporation; Blueline Supply, Inc., a Wyoming corporation, and
Mike's Heating and Sheet Metal, a Wyoming corporation.
Third-Party Defendants.

DEFENDANTS AND THIRD PARTY DEFENDANTS'
JOINT MOTION FOR PROTECTIVE ORDER

COMES NOW all of the defendants (except Union Pointe General Contractors) and all five third party defendants, through their respective counsel, and pursuant to Rule 26(c) of the Federal Rules of Civil Procedure and U.S.D.C.L.R. 37.2(a) jointly move this Court for its entry of a protective order directing that Plaintiff and her counsel not be allowed discovery of these parties' February, 2003 confidential settlement agreement relating to this litigation. All defendants (except Union Pointe General Contractors) and all third party defendants also ask that, as part of the requested protective order, the Court prohibit Plaintiff and her counsel from inquiring of any witnesses as to any of the terms, conditions, or provisions of these parties' confidential settlement agreement.

In support of this joint motion for protective order, all defendants (except Union Pointe General Contractors) and all third party defendants submit their supporting memorandum of law.

DATED this 10th day of March, 2003.

Mar. 10. 2003 3:43PM

No. 8412 P. 9/13

VAIL RESORTS DEVELOPMENT COMPANY, a Colorado corporation, GRAND TETON LODGE COMPANY, a Wyoming corporation, TETON HOSPITALITY SERVICES, INC., a Wyoming corporation and successor in interest to TETON HOSPITALITY, LLC, and JHL&S, LLC, a Wyoming limited liability Company.

Defendants

By: 

Peter W. Rietz
Christopher Yvars
Carrie Roelle
THE RIETZ LAW FIRM
114 Village Place, Ste. 301
P.O. Box 5268
Dillon, CO 80435

and

MECHCO CO. INCORPORATED, a Wyoming corporation.

Defendant

By: _____

John A. Sundahl
SUNDAHL, POWERS KAPP & MARTIN, LLC
P.O. Box 328
Cheyenne, WY 82003

and

NELSON ENGINEERING, a Wyoming Corporation

Third-Party Defendant.

By: _____

Glen Laird
Monty L. Barnett
Brett Huff
WHITE AND STEELE, P.C.
950 17th Street, #2100
Denver, CO 80202-2804

VAIL RESORTS DEVELOPMENT COMPANY, a Colorado corporation, GRAND TETON LODGE COMPANY, a Wyoming corporation, TETON HOSPITALITY SERVICES, INC., a Wyoming corporation and successor in interest to TETON HOSPITALITY, LLC, and JHL&S, LLC, a Wyoming limited liability Company.

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950 17th Street, #2100
Denver, CO 80202-2804

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VAIL RESORTS DEVELOPMENT COMPANY, a Colorado corporation, GRAND TETON LODGE COMPANY, a Wyoming corporation, TETON HOSPITALITY SERVICES, INC., a Wyoming corporation and successor in interest to TETON HOSPITALITY, LLC, and JHL&S, LLC, a Wyoming limited liability Company.

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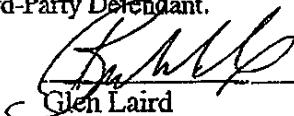
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and

LAARS, INC., d/b/a Laars Heating Systems and Teledyne
LAARS, a Delaware corporation

Third-Party Defendant

By:

Sheila Kerwin
HALLELAND, LEWIS, NILAN, SIPKINS & JOHNSON, PA
Pillsbury Center South,
Ste. 600
220 S. 6th Street
Minneapolis, MN 55402-4501

and

MODERN LIGHTING & ELECTRIC, INC., a Wyoming corporation

Third-Party Defendant

By:

Criag Silva
WILLIAMS, PORTER, DAY
& NEVILLE, P.C.
159 North Wolcott, Suite 400
P. O. Box 10700
Casper, Wyoming 82602

and

BLUELINE SUPPLY, INC., a Wyoming Corporation

Third-Party Defendant

By:

L. Kathleen Chaney
Martha C. Ferris
LAMBDA & CHANEY, LLP
4949 S. Syracuse Street, Ste. 600
Denver, CO 80237
David B. Hooper

MAR-10-03 16:11 From:WPDN WILLIAMS PORTER DAY

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T-742 P.02/04 Job-455

and

LAARS, INC., d/b/a Laars Heating Systems and Teledyne
LAARS, a Delaware corporation

Third-Party Defendant

By:

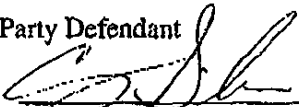
Sheila Kerwin
HALLELAND, LEWIS, NILAN, SIPKINS & JOHNSON, PA
Pillsbury Center South,
Ste. 600
220 S. 6th Street
Minneapolis, MN 55402-4501

and

MODERN LIGHTING & ELECTRIC, INC., a Wyoming corporation

Third-Party Defendant

By:



Craig Silva
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& NEVILLE, P.C.
159 North Wolcott, Suite 400
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Casper, Wyoming 82602

and

BLUELINE SUPPLY, INC., a Wyoming Corporation

Third-Party Defendant

By:

L. Kathleen Chaney
Martha C. Ferris
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4949 S. Syracuse Street, Ste. 600
Denver, CO 80237David B. Hooper

MAR 10 2003 2:37PM HP LASERJET 3200

p. 3

and

LAARS, INC., d/b/a Laars Heating Systems and Teledyne
LAARS, a Delaware corporation

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By:

Sheila Kerwin
HALLELAND, LEWIS, NILAN, SIPKINS & JOHNSON, PA
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Denver, CO 80237
David B. Hooper

Mar 10 03 03:36p

Hooper Law Offices, J.H.

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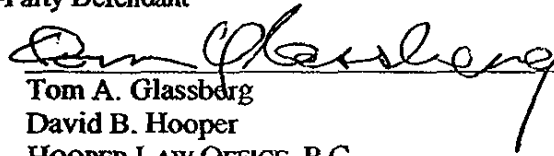
P.2

and

MIKE'S HEATING AND SHEET METAL, a Wyoming corporation

Third-Party Defendant

By:

A handwritten signature in black ink, appearing to read "Tom Glassberg", is written over a horizontal line.

Tom A. Glassberg

David B. Hooper

HOOPER LAW OFFICE, P.C.

115 N. 7th East

P.O. Box 753

Riverton, WY 82501-0753

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served this 10th day of March, 2003, addressed to:

Robert Schuster Attorney at Law 230 Veronica Lane, Suite 204 P.O. Box 13160 Jackson, WY 83021 Attorneys for <u>Plaintiff</u>	<input checked="" type="checkbox"/> U. S. Mail (prepaid) <input type="checkbox"/> Fax 307/732-7801 <input type="checkbox"/> Overnight Delivery <input type="checkbox"/> Hand Delivery
William L. Simpson Larry B. Jones Burg, Simpson, Eldridge, Hersh, & Jardine, P.C. 1135 14 th St. P.O. Box 490 Cody, WY 82414-0490 Attorneys for <u>Defendant Union Pointe Construction Corp.</u>	<input checked="" type="checkbox"/> U. S. Mail (prepaid) <input type="checkbox"/> Fax 307/527-7897 <input type="checkbox"/> Overnight Delivery <input type="checkbox"/> Hand Delivery
J. Nick Murdock BALZER CARMAN MURDOCK, P.C. 139 W. 2 nd Street, Ste. 1B Casper, WY 82601	<input checked="" type="checkbox"/> U. S. Mail (prepaid) <input type="checkbox"/> Fax 307/527-7897 <input type="checkbox"/> Overnight Delivery <input type="checkbox"/> Hand Delivery



John A. Sundahl